

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

October 6, 2004

IN RE:

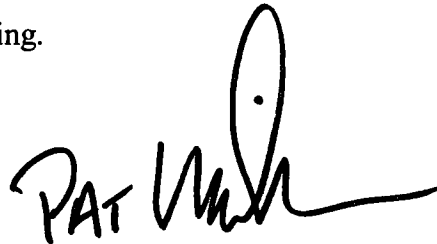
PETITION OF KMC TELECOM III LLC, KMC TELECOM V,
INC., AND KMC DATA LLC FOR ARBITRATION OF AN
INTERCONNECTION AGREEMENT WITH UNITED
TELEPHONE-SOUTHEAST, INC.

)
)
)
)
)
)
)
DOCKET NO.
04-00136

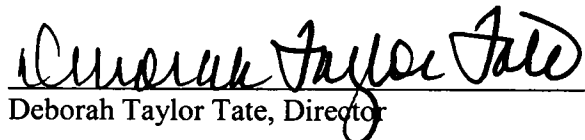
ORDER ACCEPTING ARBITRATION AND
APPOINTING PRE-ARBITRATION OFFICER

This matter came before Chairman Pat Miller, Director Deborah Taylor Tate and Director Sara Kyle of the Tennessee Regulatory Authority (the "Authority"), the voting panel assigned to this docket, at a regularly scheduled Authority Conference held on September 13, 2004, for consideration of the *Petition for Arbitration* ("*Petition*") filed by KMC Telecom III LLC, KMC Telecom V, Inc. and KMC Data LLC on May 6, 2004. On June 1, 2004, United Telephone-Southeast, Inc. filed its *Response of United Telephone-Southeast, Inc. to Petition for Arbitration of KMC Telecom III LLC, KMC Telecom V, Inc., and KMC Data LLC*. During the Authority Conference, the panel voted unanimously to accept the *Petition* and to appoint the Authority's General Counsel or his designee as the Pre-Arbitration Officer for the purpose of identifying issues and preparing the docket for hearing.

IT IS SO ORDERED.



Pat Miller, Chairman



Deborah Taylor Tate, Director



Sara Kyle, Director